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Charter

—OF—

The City of Amarillo

Adopted November 18, 1914

Embodying Commission Form
of Government under City Man-
ager Plan

Amarillo, Tex. - Charters.

A M A R I L L O , T E X A S

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1913
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(Column No. 1)

REMOTE STORAGE

(Column No. 2)

FOREWORD

Under a statute enacted by the Texas Legislature in 1913, towns and cities having over 5,000 population were empowered to draw their own charters, subject to provisions of the general statutes, and to enact them into law by the vote of the people.

The following charter, one of the first under this statute, was drawn by a commission of fifteen men selected by popular nomination and election. This commission devoted several months to the work, and embodied the best results of other recent advances in city charters, together with adaptations to local conditions and to the requirements of Texas statutes, in the following charter which the voters of Amarillo adopted by a large majority in the special election, November 18, 1913:

THE CHARTER.

ARTICLE I.

Section 1. Corporate Name: That all the inhabitants of the City of Amarillo, in Potter County, Texas, as the boundaries and limits of said city are herein established, or may hereafter be established, shall be a body politic, incorporated under, and to be known by the name and style of the "CITY OF AMARILLO," with such powers, rights and duties as are herein provided.

Section 2. Boundaries: That the boundary and limits of said corporation shall be as follows: All of Sections Nos. 156, 170, 169, 155, 188 and portions of Sections Nos. 154, 171, 225, 187, 189, 168 and 157; all of said sections of land being a part of Block No. 2, A. B. & M. Grant, Potter and Randall Counties, Texas: Said boundary being more particularly described as follows, to-wit:

Beginning at the Northeast corner of Section 156, Block No. 2, A. B. & M., Potter County, Texas, being the Northeast corner of the Holland Ad-

dition to the town of Amarillo, Texas; thence in a Southerly direction with the East line of said Section 156, to the Southeast corner of said Section, same being the Northeast corner of Section 155, Block 2, A. B. & M., Potter County, Texas; thence in a Southerly direction with the East line of said Section 155 to the Southeast corner of said Section 155, same being the Northeast corner of Section 154, Block 2, A. B. & M., Potter and Randall Counties, Texas; thence in a Southerly direction with the East line of said Section 154 to a point in the section line directly East of the Northeast corner of Block 190 of the Glenwood Addition to Amarillo, Texas; thence in a Westerly direction with the North line of Block 190, Block 183 and Block 162 to the Northwest corner of Block No. 162, Glenwood Addition to Amarillo, Texas; thence in a Southerly direction with the West line of Block No. 162 and Block No. 163 in Chestnut Avenue, to the Southwest corner of Block 163, Glenwood Addition to Amarillo, Texas; thence in an Easterly direction with the South line of said Block 163, to the Southwest corner of Block No. 182, Glenwood Addition to Amarillo, Texas; thence in a Southerly direction with the East line of Pine Street, Glenwood Addition to Amarillo, Texas, to the Southwest corner of Glenwood Electric Park, thence in an Easterly direction with the South line of Glenwood Electric Park, extended, to a point in the section line; thence in a Southerly direction with the East section line of said Section 154, Block 2, A. B. & M., to a point East of the Northeast corner of lot No. 1, block 197, Glenwood Addition to Amarillo, Texas, thence in a Westerly direction along Eleventh Street with the South line of said Eleventh Street to a point in the West boundary line of said Glenwood Addition; thence West through Crugington addition and the South Side Addition, same being Section 171, Block No. 2, A. B. & M., Potter and Randall Counties, with the South line of 27th Street, to a point in the boundary line, easterly from

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the Mrs. M. D. Oliver Eakle Addition to Amarillo, Texas, continuing in a Westerly direction with the North boundary line of 29th Street of the Mrs. M. D. Oliver Eakle addition to the town of Amarillo, Texas, same being Section 171, Block 2, A. B. & M., Potter and Randall Counties, Texas, to a point in the West boundary line of said Section 171, Block 2, A. B. & M., Potter and Randall Counties, Texas; thence in a Northerly direction with the West boundary line of said Section 171, to the Northwest corner of said Section 171, same being the Southeast corner of Section 187, Block 2, A. B. & M., Potter County, Texas; thence in a Westerly direction with the South line of said section to the Southwest corner of Lot No. 7, Block 18, of the Lakeview Addition to the town of Amarillo, Texas; thence in a Northerly direction with the West line of Blocks Nos. 18, 8 and 7, to the Southwest corner of Lot No. 2 in Block No. 19 in the said Lakeview Addition to Amarillo, Texas; thence in a Northerly direction with the East line of Bowie Avenue, through the Bivins Addition to a point in the North line of said Section No. 187; thence in a Westerly direction with the North boundary line of said Section 187 to the Northwest corner of said Section No. 187, same being the Southeast corner of Section 225, Block No. 2, A. B. & M., Potter County, Texas; thence in a Westerly direction with the South boundary line of said Section 225, to the East side of Tennessee Street, San Jacinto Heights Addition to Amarillo, Texas; thence in a Northerly direction with the East line of said Tennessee Street through the San Jacinto Heights Addition to a point in the North section line of said Section 225; thence in an Easterly direction to the Northeast corner of said Section No. 225, same being the Southwest corner of Section 189, Block No. 2, A. B. & M., Potter County, Texas; thence in a Northerly direction with the west line of said Section No. 189 to the South line of 12th Street of the University Heights Addition to Amarillo, Texas; thence

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in an Easterly direction along the South line of 12th Street to a point in the East line of said Section No. 189, continuing East with the South line of North 12th Street, through Miller Heights Addition and Amarillo Heights Addition, being Section 168, Block 2, A. B. & M., to a point in the East line of said Section 168; thence in an Easterly direction through the Tartar Addition with the South boundary line of North Fifth Street, Tartar Addition, being Section 157, Block 2, A. B. & M., to a point in the East boundary line of said Tartar Addition; thence in a Southerly direction to the Southeast corner of said Addition; thence in an Easterly direction with the North Line of Section 156, to the place of beginning.

Section 3.—Platting of Property: That should any property lying within or adjacent to the city limits, as established by this Charter, be hereafter platted into blocks and lots, the owners of said property shall plat and lay the same off to conform to the streets and alleys abutting on same, and shall file with the Mayor a correct map thereof, provided, that in no case shall the City of Amarillo be required to pay for any of said streets or alleys, at whatever date opened, but when opened by reason of the platting of said property, at whatever date platted, they shall become, by such act, the property of the City of Amarillo, for use as public highways.

ARTICLE II.

Section 1.—Corporate Powers: The City of Amarillo made a body politic and corporate by the legal adoption of this Charter, shall have perpetual succession, may use a common seal, may sue and be sued, may contract and be contracted with, implead and be impleaded in all courts and places and in all matters whatever; may take, hold and purchase lands, within or without the city limits, as may be needed for the corporate purposes of said city and may sell any real estate or personal property owned by it; perform and render all public services and when deemed expedient, may condemn property for corporate use and

(Column No. 5)

may hold, manage and control the same, and shall be subject to all the duties and obligations now pertaining to or incumbent upon said city as a corporation, not in conflict with the provisions of this Charter, and shall enjoy all the rights, immunities, powers, privileges and franchises now possessed by said city, and herein conferred and granted.

Section 2.—Powers of Ordinance: The City of Amarillo shall have the power to enact and enforce all ordinances necessary to protect health, life and property, and to prevent and summarily abate and remove all nuisances and to preserve and enforce the good government, order and security of the city and its inhabitants, and to enact and enforce ordinances on any and all subjects, provided, that no ordinance shall be enacted inconsistent with the provisions of this Charter, or the General Laws or Constitution of the State of Texas.

Section 3.—Style of Ordinances: The style of all ordinances of the City of Amarillo shall be: "Be It Ordained by the City of Amarillo"; but the same may be omitted when published in book or pamphlet form purporting to be published by the City of Amarillo.

Section 4.—Real Estate, Etc., Owned by the City: All real estate owned in fee simple title, or held by lease, sufferance, easement or otherwise; all public buildings, fire stations, parks, streets and alleys, and all property, whether real or personal, whatever kind, character or description now owned or controlled by the City of Amarillo, shall vest in, inure to, remain and be the property of said City of Amarillo.

Section 5.—Acquisition of Property: The City of Amarillo shall have the power and authority to acquire by purchase, gift, devise, deed, condemnation or otherwise, any character of property, including any charitable or trust fund.

Section 6.—Public Property Exempt From Executions: Said city shall have the power to provide that no public property, or any other character of

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property owned or held by said city, shall be subject to any execution of any kind or nature.

Section 7.—City Funds Not Subject to Garnishment: Said city shall have the power to provide that no funds of the city shall be subject to garnishment and that the city shall never be required to answer in any garnishment proceedings.

Section 8.—Exemption From Liability for Damages: Said city shall have the power to provide for the exemption of said city from liability on account of any claim for damages to any person or property, or to fix such rules and regulations, governing the city's liability, as may be deemed advisable.

Section 9.—Right of Eminent Domain: Said city shall have the right of eminent domain and the power to appropriate private property for public purposes whenever the governing authority shall deem it necessary; and to take any private property, within or without the city limits, for any of the following purposes, to-wit: City Halls, Police Stations, Jails, Calaboose, Fire Stations and Fire Alarm Systems, Libraries, Hospitals, Sanatoriums, Auditoriums, Market Houses, Reformatories, Abattoirs, Streets, Alleys, Parks, Highways, Play-grounds, Sewer Systems, Storm Sewers, Sewage Disposal Plants, Filtering Beds and Emptying Grounds for Sewer Systems, Drainage, Water Supply Sources, Wells, Water and Electric Light and Power Systems, Street Car Systems, Telephone and Telegraph Systems, Gas Plants or Gas Systems, Cemeteries, Crematories, Prison Farms, Pest Houses, and to acquire lands, within or without the city, for any other municipal purpose that may be deemed advisable. That the power herein granted for the purpose of acquiring private property shall include the power of improvement and enlargement of water works, including water supply, riparian rights, standpipes, water-sheds, and the construction of supply reservoirs. That in all cases wherein the city exercises the power of eminent domain, it shall be

(Column No. 7)

controlled, as nearly as practicable, by the laws governing the condemnation of property by railroad corporations in this State; the city taking the position of the railroad corporation in any such case.

Section 10.—Ownership of Public Utilities: Said city shall have the power to buy, own or construct, and to maintain and operate, within or without the city limits, complete water system or systems, gas or electric lighting or power plant or plants, telephone systems, street railways, sewer systems, sewage plants, fertilizing plants, abattoirs, municipal railway terminals, or any other public service utility, and to demand and receive compensation for services furnished by the city for private purposes or otherwise, and to have the power to regulate, by ordinance, the collection of compensation for such services. That said city shall have the power to acquire by lease, purchase or condemnation, the property of any person, firm or corporation now or hereafter conducting any such business, for the purpose of operating such public utility or utilities and for the purpose of distributing such service throughout the city, or any portion thereof.

Section 11.—Funds for Acquisition of Any Public Utility; Security For Same, Etc.: That should the city determine to acquire any public utility by purchase, condemnation or otherwise, as herein provided said city shall have the power to obtain funds for the purpose of acquiring said public utility and paying the compensation therefor, by issuing bonds or notes, or other evidence of indebtedness, and shall secure the same by fixing a lien upon the property constituting the public utility so acquired, and said security shall apply alone to said property so pledged.

Section 12.—Manufacture or Purchase of Public Utility Products: Said city shall have the authority to manufacture its own electricity, gas or any thing else that may be needed or used by it or the public; to make

(Column No. 8)

contracts with any person, firm or corporation for the purchase of gas, water, electricity or any other commodity or articles used by it or the public, and to sell same to the public as may be determined by the governing authority.

Section 13.—Right to Operate And Maintain Public Utility Acquired, Exclusive: In the event said city shall acquire, by purchase, gift, devise, deed, condemnation or otherwise, any water-works system, electric-light or power system, gas system street railway system, telephone system or any other public service utility to operate and maintain for the purpose of serving the inhabitants of said city, the right to operate and maintain such public service utility, so acquired, shall be exclusive.

Section 14.—Right to Regulate Charges, Etc., of Holder of Franchise or Privilege: Said city shall have the power to determine, fix and regulate the charges, fares and rates of any person, firm or corporation exercising, or that may hereafter exercise, any right of franchise or public privilege in said city, and to prescribe the kind of service to be furnish the equipment to be used the manner in which service shall be rendered and to change such regulations from time to time; that in order to ascertain all of the facts necessary for a proper understanding of what is or should be reasonable rate or regulation, the governing authority shall have full power to inspect the books and other records of such person, firm or corporation and compel the attendance of witnesses for such purpose; provided that in adopting such regulations and in fixing or changing such compensation, no stock or bond authorized or issued by any person, firm or corporation exercising such franchise or privilege shall be considered unless proof be made that the same have been actually issued by such person, firm or corporation for money, or its equivalent, paid and used for the development of the

property under investigation.

Section 15.—Street Powers: The City of Amarillo shall have exclusive dominion, control and jurisdiction in, upon, over and under the public streets, avenues, alleys and highways of the city and to provide for the improvement thereof by paving, raising, grading, draining or otherwise, and to charge the cost of making such improvement against the abutting property, by fixing a lien against the same and a personal charge against the owner thereof, according to an assessment specially levied therefor, in an amount not to exceed the special benefit any such property received in enhanced value by reason of such improvements, and to provide for the issuance of assignable certificates covering the payment for said improvement; provided that in no event shall more than three-fourths of the cost of such improvement be charged to the owner and made a lien against said abutting property; it being further provided that all street railway, steam railways and other railways shall pay the entire cost of improving said streets, avenues, alleys and highways between the rails and tracks of any such railway companies, and for a distance of two feet on each side thereof.

Section 16.—Construction of Sidewalks and Curbs: Said city shall have the power to provide for the construction and building of sidewalks and to charge the entire cost of the construction of said sidewalks, including the curb, against the owner of the abutting property and to make a special charge against the owner for such cost, and to provide by special assessments, a lien against such property for such cost.

Section 17.—Sidewalks, Improvement: Defective May Be declared Nuisance: Said city shall have the power to provide for the construction, improvement or repair of any such sidewalk, or the construction of any such curb, by penal ordinance, and to declare defective sidewalks to be a public nuisance.

Section 18.—Franchises For Use Of Streets: Said city shall have the power and authority to grant franchises for the use and occupancy of streets, avenues, alleys and any and all public grounds belonging to or under the control of the city. No telegraph, telephone, electric light or power, street railway, interurban railway, steam railway, gas company, water-works, water systems or any other character of public utility shall be granted any franchise or permitted the use of any street avenue, alley, highway or grounds of the city without first making application to and obtaining the consent of the governing authorities thereto, expressed by ordinance, and upon paying such compensation as may be prescribed, and upon such conditions as may be provided for by such ordinance, and before such ordinance proposing to make any grant or franchise or privilege to any applicant to use or occupy any streets, avenue, alley or any other public ground belonging to or under control of the city, shall become effective, publication of said ordinance, as finally proposed to be passed, shall be made in some newspaper published in the city of Amarillo, once a week for three (3) consecutive weeks; which publication shall be made at the expense of the applicant desiring said grant and said proposed ordinance shall not be thereafter changed unless again republished as in the first instance nor shall any such ordinance take effect or become a law or contract or vest any rights in the applicant therefor, until after the expiration of thirty days from the last publication of said ordinance, as aforesaid.

Pending the time such ordinance may become effective, it is hereby made the duty of the governing authority of the city to order an election if requested so to do by written petition signed by at least ten (10) per cent, of the legally qualified voters, as determined by the number of votes cast in the last regular municipal election; at which

election the qualified voters of said city shall vote for or against the proposed grant, as set forth in detail by the ordinance conferring the rights and privileges upon the applicant therefor. Such election shall be ordered not less than thirty (30) days nor more than ninety (90) days from the date of filing said petition, and if at said election the majority of the votes cast shall be for the granting of such franchise or privilege, said ordinance and the making of said proposed grant shall thereupon become effective, but if a majority of the votes cast at said election shall be against the granting of such franchise or privilege, such ordinance shall be ineffective and the making of such proposed grant be null and void.

Section 19.—Public Works Improvements: Said city shall have the power to open, extend, straighten and widen any public street, avenue or alley and for such purpose to acquire the necessary land, by purchase or condemnation, and to provide that the cost of improving any such streets, avenue or alley by opening, extending, straightening or widening the same shall be paid by the owner of property lying in the territory of such improvement and which is specially benefitted thereby, and to provide that the cost shall be charged, by special assessment against such owner and his property for the amount due by him, and three (3) Special Commissioners shall be appointed by the County Judge of Potter County, Texas, for the purpose of condemning said land and apportioning said cost, and such apportionment shall be specially assessed by the governing authority of said city against the owners and their property lying in the territory so found by said Special Commissioners, to be specially benefitted in enhanced value, and said city may issue assignable certificates for the payment of any such cost against such property owner and his property, and may provide for the payment

thereof in deferred payments, which deferred payments shall bear interest at the rate of not exceeding eight (8) per cent, per annum. Said City shall pay such portion of such cost as may be determined by said Special Commissioners, to be due by it; provided the cost paid by the city shall never exceed one-third (1-3) of the cost of such improvement.

Section 20.—Altering Streets Obstructions, Encroachments, Etc: Said city shall have the power to control, regulate and remove all obstructions, encroachments and incumbrances on any public street, avenue or alley and to narrow, alter, widen, straighten, vacate, abandon and close same; to provide for sprinkling and cleaning same, and to regulate and control the moving of buildings and structures of every kind and character upon and along the same.

Section 21.—Parks, Play-Grounds, Etc: Said city shall have exclusive control over all city parks, and play-grounds and to control, regulate and remove all obstructions and prevent all encroachments thereupon; and to provide for raising, grading, filling, terracing, landscape gardening erecting buildings, providing amusements therein, for establishing walks and paving drive-ways around, in and through said parks, play-grounds and other public grounds.

Section 22.—Peace and Good Order: Said city shall have the power to define all nuisances, prohibit the same within the city and outside the city limits for a distance of five thousand (5000) feet; to police all parks, grounds, speed-ways, streets, avenues, and alleys owned by said city, within or without the city limits; to prohibit the pollution of all sources of water supply of said city, and to provide for the protection of water sheds.

To provide for the inspection of dairies, cows and dairy herds, slaughter pens and slaughter houses and abattoirs, within or without the city limits from which meat, milk, butter or eggs from same are furnished to the

(Column No. 13)

inhabitants of said city, and to provide for the inspection of meat markets, grocery stores, drug stores, confectioneries, fruit stands, ice cream factories, laundries, bottling plants, hotels, restaurants and bakeries; the source, storage and distribution of water, and all other places where food or drinks for human consumption are manufactured, handled, sold or exposed for sale, and to regulate and inspect the character and standard of such articles of food and drink so sold or offered for sale.

To provide for the inspection and regulation of the sanitary condition of all premises and vacant lots within the city limits; for the removal of garbage, night soil, refuse and unsanitary vegetation; to provide for establishing a lien against the property for any expenses incurred by the city in enforcing this provision and further to provide for the making and enforcing of all proper and reasonable regulations, for the health and sanitation of said city and its inhabitants.

To provide for a health department and the establishment of rules and regulations protecting the health of the city; the establishment of quarantine station, pest-houses and hospital and to provide for the adoption of necessary quarantine laws to protect the inhabitants against contagious and infectious diseases.

To provide for a sanitary sewer system and for the maintenance thereof; to require property owners to make connection to such sewers with their premises and to provide for fixing a lien against any property owner's premises who fails or refuses to make sanitary sewer connections and to charge the cost against the said owner and make it a personal liability, and to fix penalties for failure to make sanitary sewer connections.

To require property owners, their agents and lessees to remove, within a reasonable time, ice, slush, snow and other debris from sidewalks fronting on property owned occupied or controlled by such owner,

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agent or lessee and to require such owner, agent of lessee to remove all low hanging limbs from trees adjacent to sidewalks in said city.

To prohibit the driving of herds of horses, mules, cattle, hogs, sheep, goats and all herds of domestic animals along or upon the streets, avenues or alleys of said city.

To establish and regulate public pounds and to regulate, restrain and prohibit the running at large of horses, mules, cattle, sheep, swine goats, geese, chickens, pigeons, ducks and all other domesticated animals and fowls and to authorize the restraining, impounding and sale of the same for the cost of the proceedings and the penalty incurred, and to order their destruction when they cannot be sold and to impose penalties upon the owner thereof for the violation of any ordinances regulating or prohibiting the same, and to tax, regulate, restrain and prohibit the running at large of dogs and to authorize their destruction and impose penalties on the owners or keepers thereof.

To prohibit the inhumane treatment of animals and provide punishment therefor.

To prohibit and restrain the flying of kites, firing fire-arms, fire-crackers, rolling of hoops and the use of velocipedes, bicycles and skates, or the use and practice of any amusements on the streets or sidewalks to the annoyance of pedestrians or persons using such streets or sidewalks, and to restrain, regulate and prohibit the ringing of bells, or blowing of horns, bugles and whistles, crying of goods and all other noises practices and performances tending to the collection of persons in the streets or tending, unnecessarily, to interfere with the peace and quietude of the inhabitants of said city; and to suppress and regulate all unnecessary noises.

To license any lawful business, occupation or calling that is susceptible to the control of the police power, and to license, regulate, control or prohibit the erection of signs or

(Column No. 15)

bill-boards.

To license, tax and regulate or suppress and prevent hawkers, peddlers and pawnbrokers.

To license, tax and regulate or charges of fares made by any person, firm or corporation owning, operating or controlling any vehicle operated for the carriage of passengers or freight for hire, on the public streets of the city.

To regulate the operation of railway trains and street cars operated on, along or across the streets, avenues or alleys of said city; to license and control the operation of automobiles, motorcycles, taxicabs, busses, cabs and carriages and all character of vehicles using the public streets and to regulate the use and occupancy of the streets by any of such vehicles.

To provide for the regulation and control of plumbers and plumbing works and to secure efficiency in the same.

To provide for the inspection of weights, measures and meters and fix a standard of such weights measures and meters and require conformity to such standards and provide penalties for failure to use or conform to the same, and to provide for inspection fees.

To provide for the issuance of permits for erecting all buildings; for the inspection of the construction of all buildings in respect to proper wiring for electric lights and other electric appliances; piping for gas, flues, chimneys, plumbing and sewer connections and to enforce proper regulations in regard thereto.

To provide for establishing and maintaining a public library.

To provide for the establishment and designation of fire limits; to prescribe the kind and character of structures to be erected therein; to provide for the erection of fireproof buildings within said limits and for the condemnation of dangerous or dilapidated structures which are calculated to increase the fire hazard.

To enact and enforce all ordinances and resolutions, necessary to

(Column No. 16)

regulate the safety of all office buildings, hotels, apartment houses, rooming houses, hospitals, theatres, store buildings and all public buildings.

To require the construction of fire escapes in connection with public buildings, and to determine the sufficiency and regulate the safety of all exits and fire-escapes provided on public buildings of every kind and character.

To provide for the establishment of districts and limits, within said city, wherein saloons for the sale of spirituous, vinous and malt liquors may be located and maintained, and to prohibit the sale of such liquors or the location of such saloons without such defined districts or limits and to regulate the location, permit, forbid, regulate and control theatres, moving picture shows, vaudeville shows, dance halls, ten-pin alleys, pool halls and all other public amusements, whenever the preservation of order, tranquility, public safety or good morals demand it.

To restrain and punish vagrants, mendicants, beggars and prostitutes, to regulate, control or prohibit the sale, gift, barter or exchange of cocaine, opium, morphine and the salts thereof.

To prohibit and punish keepers and inmates of bawdy, assignation and disorderly houses, and to prevent and suppress such bawdy, assignation and disorderly houses, and to punish such keepers, inmates and owners, or agents of such owners, of such houses, knowingly permitting such houses to be occupied as such bawdy, assignation or disorderly houses and to determine such inmates and keepers to be vagrants.

To provide for establishing and maintaining the Fire Department of the city.

To require waterworks corporations gas companies, street car companies, telephone companies, electric light and power companies or other companies or individuals, exercising franchises, now or hereafter, from the city, to make and furnish extensions of their

(Column No. 17)

service to such territory as may be required by ordinance.

To establish and maintain the City Police Department, prescribe the qualifications and duties of policemen and regulate their conduct.

To provide for the enforcement of all ordinances enacted by it, by a fine not to exceed Two Hundred (\$200) Dollars, provided that no ordinance shall provide a greater or less penalty than is prescribed for a like offense by the laws of the State.

To provide for the commutation of fines imposed, by labor in a work-house, on the public streets and public ways of the city; and for the collection of any fine imposed, execution may be enforced, as executions issued in civil cases.

To provide for a Court for the trial of misdemeanor offenses, known as the "Corporation Court," with such powers and duties as are defined and prescribed in an Act of the Legislature of the State of Texas and any Acts amendatory thereof, entitled "An act to establish and create in each of the cities, Towns and Villages of this State a Court to be known as the Corporation Court, in each City, Town or Village, and to prescribe the jurisdiction and organization thereof, and to abolish Municipal Courts," said Act being title 22, Chapter 5, Articles 903 to 922 inclusive of the Revised Statutes of the State of Texas.

To appoint, as soon as practicable after the adoption of this Charter, some suitable person for the position of judge or recorder of the Corporation Court, who shall discharge the duties of said office under the terms and provisions of the State Law creating said court, and subject to the provisions of this Charter.

To establish, maintain and regulate the city prison, workhouses and other means of punishment for vagrants, city convicts and disorderly persons, and such hospitals, orphanages and charitable institutions as may be deemed expedient by the governing authority.

Section 23—Initiative and Refer-

(Column No. 18)

endum: Any proposed ordinance may be submitted to the Commission for adoption, and any ordinance or resolution passed by the Commission may be submitted to the people for repeal. In either event, the ordinance or resolution proposed to be adopted or repealed shall be set out in a written or printed instrument which shall be filed with the person exercising duties of city clerk, and at the time of the filing of such written or printed instrumnt, there shall be filed a statement signed by not less than five (5) qualified voter of the city of Amarillo, stating that they have proposed such ordinance or resolution for adoption or repeal, and such electors shall be regarded as the initiating or referring committee, as the case may be, for the purpose herein after provided.

Before any such ordinance or resolution may be submitted to the Commission for adoption or repeal, it shall be necessary that a petition signed by not less than twenty-five (25) per cent of the qualified voters within the City of Amarillo, as determined by the number voting at the last regular municipal election shall be presented to the Commission, referring to such ordinance or resolution and requesting its adoption or repeal, as the case may be. All such petitions circulated for signatures shall be uniform in character and shall have attached to the same, exact written or printed copy of the proposed ordinance or resolution, sought to be adopted or repealed.

Each signer of a petition shall sign his name in ink or indelible pencil, in his own handwriting, and shall place on the same, following his name, his place of residence by street and number. The signatures to any such petition need not all be attached to the same paper, but to each such paper there shall be attached an affidavit, by the circulator thereof, stating the number of signers to such part of the petition, and that each signature is genuine and that of the person whose name it purports

(Column No. 19)

to be and that it was made in the presence of the affiant.

When signatures have been obtained in the number above provided for, and the petition and statement have been filed with the person exercising the duties of city clerk, such officer shall submit all papers pertaining to such ordinance or resolution, and its proposed initiation or reference to the Commission at its next regular meeting and such officers shall mail to each of the members of such initiating or referring committee a notice of the time of the next regular meeting of the Commission when such ordinance or resolution and its adoption or repeal shall be considered, or a time then set by such Commission for its consideration, which hearing and consideration shall be open to the public, and the public shall be permitted to present arguments for or against such proposed ordinance or resolution.

After such presentation of the petition and public hearing, the Commission shall, within thirty (30) days from the date of the submission of such petition, take final action upon the same, by either adopting or rejecting the ordinance thus initiated by petition, or by either repealing or refusing to repeal the ordinance or resolution thus sought to be referred, and in either event, the action of the Commission shall be noted in its Minutes.

If the Commission refuses to pass or to repeal the proposed ordinance or resolution or passes the same in an amended form from that presented in the petition, or repeals only a part of such ordinance or resolution, instead of repealing the same in the manner set out in such petition of reference, then in either event, such initiating committee, or such referring committee, may require that such ordinance or resolution, either in its original or amended form, be submitted to a vote of the electors for adoption or repeal, as the case may be.

When an ordinance or resolution

(Column No. 20)

proposed by petition is to be submitted to a vote of the electors for adoption or repeal, after the Commission has acted upon the same, as provided for in the preceding paragraph, then such initiating or referring committee, as the case may be, upon a majority vote of such committee, shall certify their desire to have the same submitted for adoption or repeal, within twenty (20) days after the Commission shall have taken action on the same, and shall file such certificate and statement with the person exercising the duties of the city clerk.

After receipt of such certificate and the certified copy of the proposed ordinance or resolution, the person exercising the duties of the city clerk shall present such certificate and certified copy of the proposed ordinance or resolution to the Commission at its next regular meeting. If any election is to be held at a date not more than ninety (90) days nor less than ten (10) days after such meeting of the Commission, then such ordinance or resolution, proposed for adoption or repeal shall be submitted by the Commission to a vote of the electors at such election to be held, but if no such election is to be held within such time, then the Commission shall provide for submitting such proposed ordinance or resolution, for adoption or rejection, to the electors at a special election to be held not less than twenty (20) nor more than forty (40) days thereafter.

The form of ballot for use in an election held for the adoption of any initiated ordinance shall state the title of the ordinance and contain a succinct statement of its nature and purpose and below such statement, on separate lines, there shall be printed the words: FOR THE ORDINANCE—AGAINST THE ORDINANCE. If a majority of the electors voting in such election shall vote in favor thereof, it shall thereupon become an ordinance of the city.

The form of ballot for use in an

(Column No. 21)

election held for the repeal of any referred ordinance or resolution shall state the title of the ordinance or resolution and contain a succinct statement of the nature and purpose of the ordinance or resolution sought to be repealed, and below such statement, in separate lines, there shall be printed the words: FOR THE REPEAL OF THE ORDINANCE (OR RESOLUTION), AGAINST THE REPEAL OF THE ORDINANCE (OR RESOLUTION). If a majority of the electors voting in such election shall vote in favor of the repeal of such ordinance or resolution, then the same shall be considered repealed.

Providing however that nothing contained in this section shall effect the manner of calling elections to determine whether or not franchises shall be granted.

Section 24.—Recall: Any elective officer of the city shall be subject to recall and removal from office by the qualified electors of the city, and the procedure to effect such removal shall be as follows:

A petition demanding that the question of removing such officer or officers be submitted to the electors, shall be filed with the person discharging the duties of city clerk. Such petition for the recall of any such elective officer or officers shall be signed by at least thirty (30) per cent of the qualified voters, to be determined by the number of votes cast in the last regular municipal election; at least one-fifth (1-5) of whom shall certify that at the election at which the officer or officers was or were elected, they voted for the election of such officer or officers proposed to be recalled.

Petitions for signatures for such recall shall be procured only from the person exercising the duties of city clerk, who shall keep a sufficient number of such blank petitions on file for distribution, and prior to the issuance of such petitions for signatures there shall be filed with such person an affidavit by one or more qualified electors, stating the name or

(Column No. 22)

names of the officer or officers sought to be removed. Such officer issuing such petitions for removal to an elector shall enter in a record to be kept, the name of the elector to whom issued, the date of such issuance and the number of such petitions issued, and shall certify on such petitions for signatures, the name of the elector to whom issued and the date of its issuance. No petition for signatures shall be accepted and taken into consideration in determining the necessary percentage of voters for removal unless it bears such certificate and be filed as herein provided.

Each signer of a recall petition shall sign his name thereto in ink or indelible pencil, and shall write thereon, after his name, his place of residence by street and number. To each of said petitions there shall be attached an affidavit, of the circulator thereof, stating the number of signers to such part of the petition and that each signature to the same is genuine, was made in his presence and is that of the person whose name it purports to be.

All papers comprising a recall petition, shall be returned and filed with the person exercising the duties of city clerk, within thirty (30) days after the filing of the affidavit herein before provided for. The person exercising the duties of city clerk, upon the return of such petition, shall at once submit the same to the governing authority of the city, and shall notify the officer or officers sought to be recalled of such action. If the official whose removal is sought does not resign within five (5) days after such notice is given, the governing authority of the city shall thereupon order and fix a day for holding a recall election, the date of which election shall not be less than fifteen (15) nor more than thirty (30) days from the time such petition was presented to the governing authority of the city.

The ballot at such recall election shall conform to the following requirements, with respect to each per-

son whose removal is sought; the question shall be submitted: "Shall (name of person) be removed from the office of (naming the office) by recall?" Immediately following each of such questions there shall be printed on the ballots, in separate lines, in the order here set out the words: For the recall of (naming the person). Against the recall of (naming the person). Should a majority of the votes cast at such recall election be for the recall of the officer named on the ballot, he shall, regardless of any technical defects in the recall petition, be deemed removed from office, but should a majority of the votes cast at such recall election be against the recall of the officer named on the ballot, such officer shall continue in office for the remainder of his term, subject to recall as before.

No recall petition shall be filed against any officer of the city within six (6) months after his election, nor within six (6) months after an election for such officer's recall.

In case the governing authority of the city shall fail or refuse to receive the recall petition, order such recall election, or discharge any other duties with reference to such recall, then the County Judge of Potter County, Texas, shall discharge any of such duties herein provided to be discharged by the governing authority of said city.

If, in such recall election, there shall, as a result of such election, remain one or more of such elective officers who is not recalled, then such officer or officers not recalled shall discharge all of the duties incumbent upon the governing authority of said city until the vacancy or vacancies created at such recall elections are filled by an election for that purpose, as hereinafter provided for, but if in any proposed recall election it is proposed and submitted to recall all elective officers then there shall be placed on said ballot under the question of recall, the names of candidates to fill the vacancies proposed to be created by

such election, but the names of such officers proposed to be recalled shall not appear on the ballot as candidates.

If at any recall election it is not proposed and submitted to recall all of the elective officers, but only one or more, fewer than all, and such election shall result in favor of the recall of one or more of such officers, proposed to be recalled, then it shall be the duty of such officer or officers not recalled and constituting the governing authority of the city, within five (5) days after such election is held, to meet, canvas the returns, declare the result of the election and on the same day order an election to fill such vacancy or vacancies; which election shall be held not less than ten (10) nor more than twenty (20) days after the same shall have been ordered.

ARTICLE III.

Section 1.—Taxation: The city shall have the power and is hereby authorized, annually, to levy and collect taxes, not exceeding One Dollar and Thirty Cents (\$1.30), on each One Hundred Dollars (\$100.00) of assessed valuation of all real and personal property within the city limits, not exempt from taxation by the Constitution and laws of the State.

Said city shall have the right, annually, to levy and collect a poll tax not exceeding One Dollar (\$1.00) for each year, upon all male inhabitants between the ages of twenty-one (21) and sixty (60) years, not exempt from poll tax by the General Laws of the State.

Shall authorize the granting and issuance of licenses and shall direct the manner of issuing and registering the same and fix the fees therefor; but no license shall issue for a longer period than one (1) year and shall not be assignable except by permission of the governing authority of the city.

Shall have the power, annually, to levy and collect a franchise tax against any public corporation using and occupying the public streets or grounds of the city, separately from

(Column No. 25)

the tangible property of such corporation, and to levy and collect, annually, upon the property and shares of corporations, companies and corporate institutions, as the same are now or may be assessed by the State laws, and shall have full power to enforce the collection of such taxes.

Shall have the power to regulate the manner and mode of making out tax lists, inventories and appraisements of property therein, and to prescribe the oath that shall be administered to each person rendering property for taxation and to prescribe how, when and where property shall be rendered and to prescribe the number and form of assessment rolls and to adopt such measures as may be deemed advisable to secure the assessment of all property within the city limits and to collect taxes thereon and may provide a fine upon all persons failing, neglecting or refusing to render their property for taxation, and to do any and all other things necessary or proper to render effectual the collection of moneys by taxation.

Shall have the power to provide for the rendition of unrendered property for taxation and levy and assess taxes thereon, annually, and to provide for the rendition, levy and assessment of taxes for previous years on property omitted from taxation, and to provide interest at the rate of six (6) per cent. per annum upon such unrendered or omitted property and to change and provide for correction and reassessment of property erroneously assessed.

All real, personal or mixed property held, owned or situated in the City of Amarillo shall be liable for all municipal taxes, due by the owner thereof, including taxes on real estate, franchises, personal and mixed property, poll taxes and all other municipal taxes of whatsoever character. Such municipal taxes are hereby declared to be a lien, charge and encumbrance upon the property so taxed and shall be a prior lien to all other claims, sales, assignments, transfers, gifts and judicial writs. Said lien

(Column No. 26)

shall exist from the first day of January of each year until all such taxes have been paid and against any real estate which, for any cause, has failed to be assessed for one or more years, and such lien shall be good and effective for every year for which assessment has so failed.

Personal property of all persons, firms or corporations owing any taxes to the City of Amarillo, is hereby made liable for all of such taxes, whether the same be upon personal or real property or upon both.

The governing authority of the city, at its first meeting in June of each year, or as soon thereafter as practicable, shall levy the annual tax for such year, but special taxes or assessments allowed by this Charter may be levied, assessed and collected at such time as the governing authority may provide; provided, that should the governing authority fail or neglect to levy the annual tax herein provided for any one year the annual tax levy for the preceding year last made by said governing authority shall and will be considered in force and effective as the tax levy for the year for which no annual tax levy was made.

Said city shall have full power to provide for the prompt collection, by suit or otherwise, of taxes assessed, levied and imposed, and is hereby authorized, and to that end shall have full power and authority to sell, or cause to be sold, all kinds of property, real and personal, and shall make such rules and regulations and enact all such ordinances as are deemed necessary for the collection of any taxes provided in this Charter.

It shall not be necessary in any action, suit or proceeding in which the city shall be a party, for any bond, undertaking or security to be executed in behalf of the city.

The city shall have the power to control and manage the finances of the city; to provide its fiscal year and fiscal arrangements.

All moneys arising from the collection of taxes by the city shall be divided into two funds, and designated as a "General Fund" and an "Inter-

(Column No. 27)
est and Sinking Fund."

No irregularities in the time or manner of making or returning the city assessment rolls or the approval of such rolls, shall invalidate any assessment.

The governing authority of the city shall create a Board of Equalization whose duties shall be to equalize the values of all property rendered for taxation in the City of Amarillo; prescribe the qualifications, compensation and number necessary to constitute said board, and enact all ordinances necessary to regulate and control the equalization of values by such board.

ARTICLE IV.

Section 1.—**Bonds:** The governing authority of the city shall have the power to appropriate so much of the general revenue of the city as may be necessary for the purpose of retiring and discharging the accrued indebtedness of the city, and for the purpose of improving the streets, constructing sewers, erecting and maintaining public buildings of every kind and for purchasing or constructing waterworks plants and systems and for the purpose of erecting, maintaining and operating an electric light and power plant and such other public utilities as the governing authority may, from time to time, deem expedient, and in furtherance of any and all of these subjects, the city shall have the right and power to borrow money upon the credit of the city and to issue coupon bonds of the city therefor, in such sum or sums as may be deemed expedient; to bear interest not to exceed six (6) per centum per annum; payable annually or semi annually, at such place or places, as may be designated by the city ordinance; provided, that the aggregate amount of said bonds shall at no time exceed ten (10) per centum of the whole taxable value of the city of Amarillo, as ascertained by the tax records.

All bonds shall specify for what purpose they are issued, and shall be invalid if sold for less than their par value and when any bonds are issued by the city, a fund shall be provided

(Column No. 28)
to pay the interest and create a sinking fund to redeem said bonds, which fund shall not be diverted or drawn upon for any other purpose and the person acting as city treasurer shall honor no drafts upon said fund except to pay interest upon or redeem the bonds for which it was provided.

Said bonds shall be issued for a period of time not to exceed forty (40) years; shall be signed by the Mayor, countersigned by the person acting in the capacity of city secretary, and shall be payable at such places and times as may be fixed by the ordinance of the governing authority. All such bonds shall be submitted to the Attorney General of the State for his approval and the Comptroller for registration, as provided by State law; provided, that any such bonds, after approval, may be issued by the city either optional or serial, or otherwise, as may be deemed advisable by the governing authority.

Before the issuance of any bonds the same shall be submitted to a vote of the qualified property tax paying voters of the city and should a majority of the votes cast at such election be in favor of issuing the bonds, the same shall be issued as provided herein; but should said election fail to carry, bonds shall not be issued. The election provided for above shall be conducted as other elections under the State law, after due notice by publication, once each week for three (3) consecutive weeks prior thereto, in one or more newspapers published in Amarillo; which said notice shall state the nature and purpose of said election.

ARTICLE V.

Section 1.—**Municipal Government:** The municipal government of the City of Amarillo shall consist of the City Commission, which shall be composed of three (3) Commissioners, one of whom shall be Mayor of the City.

Section 2.—**Term of Office:** The Mayor and each Commissioner shall serve, after the first election for Commissioners as hereinafter provided, for a term of two (2) years and until his successor is elected and qual-

(Column No. 29)

ified; unless sooner removed from office as herein provided.

Section 3.—**Vacancies:** Vacancies in the Commission shall be filled by a special election for the remainder of the unexpired term, as provided by ordinance.

Section 4.—**Qualifications:** The Mayor and each Commissioner shall be resident citizens of the City of Amarillo; have the qualifications of electors therein, and shall have been resident citizens of the City of Amarillo for a period of three (3) years immediately next preceding such election. The Mayor, Commissioners and other officers and employes shall not be indebted to the city; shall not hold any other public office of emolument and shall not be interested in the profits or emoluments of any contracts, job, work or service for the municipality, or interested in the sale to the city of any supplies, equipment, material or articles purchased. Any officer or employe of the city who shall cease to possess any of the qualifications herein required shall forthwith forfeit his office and any such contract in which any officer or employe is or may become interested may be declared void by the Commission. No officer or employe of the city (except policemen and firemen in uniform, or wearing badge), shall accept any frank, free ticket, passes or service, or anything of value, directly or indirectly from any person, firm or corporation, upon terms more favorable than are granted to the public. Any violation of this section shall be a misdemeanor, and on conviction for such violation, such office or employment shall be forfeited.

Section 5.—**Elections:** The elective officers of the city shall consist of a Mayor and two Commissioners (the Commissioners to be designated as Commissioner No. One and Commissioner No. Two), each of whom shall be elected to the office for which he is a candidate by a majority of the qualified voters of the city at large. Should any candidate fail to receive a majority of votes at the regular election for the office for which he

(Column No. 30)

is a candidate, the Commission shall immediately order a special election to be held not less than ten (10) nor more than twenty (20) days after the result of the regular election has been declared, at which special election the names only of the two candidates receiving the highest number of votes at the regular election, for the office for which they were candidates, shall be printed on the ballot and submitted to the qualified voters for election, and the candidate receiving the majority of votes at such special election, for the place or office for which he was a candidate, shall be declared duly elected.

Section 6.—The Commission shall be the judge of the election and qualification of its members.

Section 7.—**Election Returns:** The Commission shall, on the next regular meeting day of said Commission, after each regular and special election, canvass the returns and declare the result of such election.

Section 8.—**Election Day:** The regular municipal elections of the City of Amarillo shall be held on the first Tuesday in April in the year A. D., 1915 and on said day every two years thereafter.

Section 9.—**Elections; Law Controlling:** All elections provided for in this Charter, except the regular election held on the first Tuesday in April, A. D., 1915, and on said day every two years thereafter, shall be called Special Elections, and all elections shall be conducted and results canvassed and announced by the election authorities prescribed by the General Election Laws of the State of Texas, and said General Election Laws shall control in all municipal elections, except as otherwise herein provided.

Section 10.—**Commission Constituted Legislative and Governing Body of City:** The Commission shall enact all ordinances and resolutions, and adopt all regulations; and constitute the legislative and governing body of the city, with all the powers and authority herein granted.

Section 11.—**Duties of Mayor:** The Mayor of the City shall be the presiding officer of the Commission, ex-

cept that in his absence a Mayor pro-tempore may be chosen; he shall be entitled to vote as a member of the Commission; sign all bonds; be the official head of the city, and exercise all powers and perform all duties imposed upon him by this Charter and by the ordinances of the city.

Section 12.—Meetings of the Commission: On the first Monday, at ten o'clock a. m., after the election of the Commission has been declared, the Commission shall meet in the Council Chamber of the City Hall, at which time the Commissioners shall qualify and assume the duties of their offices. Thereafter the Commissioners shall meet at such time as may be prescribed by ordinance or resolution, but they shall meet at least once each week. The Mayor or the City Manager, hereinafter provided for, may call special meetings of the Commission at any time deemed advisable. All meetings of the Commission shall be public, except such executive sessions as may be provided for by ordinance, and any citizen shall have access to the Minutes and records thereof at all reasonable times. The Commission shall determine its own rules and order of business, and shall keep a Journal of its proceedings.

Section 13.—Compensation and Attendance: The compensation of the Mayor and each Commissioner shall be Ten (\$10.00) Dollars per diem, for attendance upon each regular meeting of the Commission, but not more than one regular meeting shall be held each week; provided, however, that no compensation shall be allowed the Mayor or either Commissioner if absent from any regular meeting of the Commission, unless such absence be unavoidable, the reasons therefor be presented in writing, and the same be considered sufficient by the other members of the Commission and such reasons and excuse spread upon the Minutes of the proceedings.

Section 14.—Legislative Procedure: A majority of all members elected on the Commission shall constitute a quorum to do business, and the affir-

mative vote of a majority shall be necessary to adopt any ordinance or resolution. The vote upon the passage of all ordinances and resolutions shall be taken by "Yea" and "Nay" and entered upon the Journal. Every ordinance or resolution passed by the Commission shall be signed by the Mayor and the person acting as city clerk or secretary, within two days, and by him recorded.

Section 15.—Ordinance Enactment: Each proposed ordinance or resolution shall be introduced in written or printed form; shall not contain more than one subject, which shall be clearly stated in the title, but general appropriation ordinances may contain the various subjects and accounts for which moneys are to be appropriated. No ordinance, unless it be declared an emergency measure, and passed by a unanimous vote of the Commission, shall be passed on the day on which it shall be introduced.

Section 16.—Emergency Measures: Defined and Provided for: An emergency measure is an ordinance or resolution for the immediate preservation of the public peace, property, health or safety, or providing for the usual daily operation of a municipal department, in which the emergency is set forth and defined in a preamble thereto. Ordinances appropriating money, not exceeding Two Hundred Fifty (\$250.00) Dollars and ordinances for the payment of salaries and wages, may be passed as emergency measures, but no measure making a grant, renewal or extension of a franchise, or other special privilege or regulating the rate to be charged for its services by any public utility, shall ever be passed as an emergency measure.

Section 17.—Ordinances: Publication of: All ordinances, other than emergency measures, shall be published once a week for two (2) consecutive weeks, in some newspaper published in the City of Amarillo, and no ordinance shall become effective until ten (10) days after the date of its last publication.

Section 18.—Ordinances: Record-

ing: Every ordinance, or resolution, upon its becoming effective, shall be recorded in a book kept for that purpose and shall be authenticated by the signature of the Mayor and the party exercising the duties of city clerk or secretary.

Section 19.—Investigations by Commission: The Commission may investigate the financial transaction of any office or department of the city government, and the acts and conduct of any official or employe. In conducting such investigation, the Commission may compel the attendance of witnesses, the production of books and papers, and other evidence, and for that purpose may issue subpoenas or attachments which shall be signed by the Mayor; which may be served and executed by any officer authorized by law to serve subpoenas or other process, or any peace officer of the city. If any witness shall refuse to appear or to testify to any facts within his knowledge, or to produce any papers or books in his possession, or under his control, relating to the matter under investigation before the Commission, the Commission shall have the power to cause the witness to be punished as for contempt, not exceeding a fine of One Hundred (\$100.00) Dollars and three days in the city prison. No witness shall be excused from testifying, touching his knowledge of the matter under investigation in any such inquiry, but such testimony shall not be used against him in any criminal prosecution except for perjury committed upon such inquiry.

Section 20.—City Manager: The Commission shall appoint a City Manager, who shall be the administrative head of the municipal government, and shall be responsible for the efficient administration of all departments; he may or may not be a resident of the City of Amarillo when appointed, and shall hold his office at the will of the Commission.

Section 21.—Powers and Duties of the City Manager: The City Manager shall see that the laws and ordinances of the city are enforced;

Appoint all appointive officers or employees of the city, with the advice and consent of the Commission (such appointments to be upon merit and fitness alone), and remove all officers and employees appointed by him;

Exercise control and supervision over all departments and offices that may be created by the Commission, and all officers and employees appointed by him;

Attend all meetings of the Commission with a right to take part in the discussion, but having no vote;

Recommend, in writing, to the Commission such measures as he may deem necessary or expedient;

Keep the Commission fully advised as to the financial condition and needs of the city, and

Perform such other duties as may be prescribed by this Charter, or be required of him by ordinance or resolution of the Commission.

Section 22.—Contracts for Services: No contract shall ever be made which binds the city to pay for personal services to be rendered, for any stated period of time, but all appointive officers and employees shall be subject to peremptory discharge as herein provided.

Section 23.—Departments: The Commission shall create and consolidate such offices and may divide the administration of the city's affairs into such departments as they may deem advisable, and may discontinue any such office or department at their discretion, except office of City Manager.

Section 24.—Board of City Development: The Commission shall have the authority to appoint what shall be known and designated as a "Board of City Development," which shall be composed of not exceeding fifteen (15) members who shall serve without compensation, and may prescribe the qualifications and duties of such board and their term of office, and may appropriate not exceeding two mills on the One Dollar valuation of the taxable property in the City of Amarillo, from the general fund of said city, to support the work of the board.

Section 25.—Salaries: General: The Commission shall fix and determine the salaries and wages of all appointive officers and employes of the city, and provide for the payment thereof.

Section 26.—Payment of Claims: No warrant for the payment of any claims shall be issued by the city, unless such claim shall be evidenced by an itemized account approved by the City Manager and audited and allowed by the Commission at a regular meeting, and all warrants shall be signed by the Mayor and countersigned by the party acting as city clerk or secretary.

Section 27.—Accounting Procedure: Accounting procedure shall be devised and maintained for the city, adequate to record in detail, all transactions affecting the acquisition, custodianship and disposition of values, including cash receipts, credit transactions and disbursements; and the recorded facts shall be presented periodically to officials and to the public in such summaries and analytical schedules in detailed support thereof as shall be necessary to show the full effect of such transactions for each fiscal year, upon the finances of the city and in relation to each department of the city government, including distinct summaries and schedules for each public utility owned and operated.

Section 28.—Audit and Examination: The Commission shall cause a continuous audit of the books of account; all records and transactions of the administration of the affairs of the city; such audit shall be made annually during each fiscal year and shall be made by a certified public accountant. The duty of the certified public accountant, shall include the certification of all statements required in Section 27 of this Charter; such statements shall include a general balance sheet showing summaries of income and expenditures and also comparisons, in proper classification, with the last previous audit; such summaries shall be published in some newspaper published in Amarillo, one time, within ten (10) days after the

completion of such audit.

Section 29.—Contracts: All contracts for public printing, public improvements and public works of every kind and character, and the purchase of supplies for use in any department of the city, exceeding an expenditure of One Hundred (\$100.00) dollars shall be let on sealed competitive bids.

Section 30.—Nepotism: No person related within the second degree by affinity, or within the third degree by consanguinity, to the Mayor, to either of the Commissioners or to the City Manager, shall be appointed to any office, position, clerkship or service of the city.

Section 31.—Hours of Labor Upon Public Works: Eight (8) hours shall constitute a day's work for all laborers, workmen, or mechanics who may be employed by or on behalf of the city, in any one calendar day, where such employment, contract or work is for the purpose of construction, repairing or improving buildings, bridges, streets, avenues, alleys, highways or other public improvements of a similar character, requiring the services of laborers, workmen, or mechanics.

Section 32.—Official Bonds: The City Manager shall give an official bond in the sum of Five Thousand (\$5,000.00) Dollars, and the person or persons exercising the duties of City Treasurer and City Tax Collector shall give official bonds in such sums as may be prescribed by the Commission from time to time. Such bonds shall be payable to the City of Amarillo and shall, in each instance, be conditioned for the faithful discharge of the duties of such respective officers, and for the faithful accounting for all moneys, credits and things of value coming into the hands of such respective officers. Such bonds shall be procured from some regularly accredited surety company, authorized to do business under the laws of the State of Texas, and the premiums to such surety companies shall be paid by the City of Amarillo.

The City Manager shall have the

right to require official bonds from other appointive officers of the city in such amounts and conditioned as he may deem best for the efficiency of the public service.

All official bonds shall be approved by the Commission and filed and recorded with the person exercising the duties of city clerk.

Section 33.—Oath of Office: Every officer of the city shall, before entering upon the duties of his office, take and subscribe to the oath prescribed by the Constitution of the State of Texas for County Officials.

GENERAL PROVISIONS.

Section 1.—The enumeration of powers made in this Charter shall never be construed to preclude, by implication or otherwise, the city from exercising the powers incident to the enjoyment of local self-government, nor to do any and all things not inhibited by the Constitution and laws of the State of Texas.

Section 2.—Ratification of Ordinances: All ordinances and resolutions in force at the time of the taking effect of this Charter, not inconsistent with its provisions, shall continue in force until amended or repealed.

Section 3.—Amendments to Charter: This Charter, after its adoption, may be amended in accordance with the provisions of an Act of the Thirty-third Legislature of the State of Texas, entitled, "An Act Authorizing Cities Having More Than 5000 Inhabitants, by a Majority Vote of the Qualified Voters of Said City, at an Election Held for That Purpose, to Adopt and Amend Their Charter, Etc." approved April 7th, 1913, and any Acts amendatory thereof.

Section 4.—Vote on Proposed Charter; Manner, etc.: This Charter shall be submitted to the qualified voters of the City of Amarillo, for adoption or rejection, on the Third Tuesday in November, A. D., 1913, at which election if a majority of the qualified voters voting in such election shall vote in favor of the adoption of this Charter, then it shall become the Charter of the City of Amarillo, until

amended or repealed. It being impracticable to submit this Charter by sections, it is hereby prescribed that the form of ballot for use in such election shall be as follows, to-wit:

FOR THE ADOPTION OF THE CHARTER

AGAINST THE ADOPTION OF THE CHARTER.

The present City Council of Amarillo shall call such election and the same shall be conducted and returns made, and results declared, as provided by the laws of the State of Texas governing municipal elections and in case a majority of the votes cast at such election shall be in favor of the adoption of such Charter, then an official order shall be entered upon the records of said city, by the City Council of Amarillo, declaring the same adopted, and the City Secretary shall record, at length, upon the records of the city, in a separate book to be kept in his office for such purpose, such Charter so adopted, and such Secretary shall furnish to the Mayor a copy of such Charter, so adopted, authenticated by his signature and the seal of the City, which copy of the Charter shall be forwarded by the Mayor of the City of Amarillo to the Secretary of State, and shall show the approval of such Charter by a majority vote of the qualified voters of the City of Amarillo.

Section 5.—Election of Mayor and Commissioners: If such Charter shall be adopted, then it shall be the duty of the City Council, within ten (10) days after such election for the adoption of the Charter shall have been held to call an election for the election of a Mayor and two other Commissioners, which election shall be ordered on the second Tuesday in December, A. D., 1913, and if such election shall not result in the choice of a Mayor and two Commissioners, each by a majority vote of the city at large, then the present City Council shall call a special election, as provided for in this Charter, for the election of such officers failing to receive a majority vote, which election shall be held on the fourth Tuesday in De-

(Column No. 39)

cember, A. D. 1913, which election or elections shall be held under the direction of the City Council, according to the laws of the State of Texas regulating municipal elections.

Section 6.—Within five days after the election of all the Commissioners they shall each take the oath of office and qualify as such Mayor and Commissioners, and shall hold their respective offices until the first Tuesday in April, A. D. 1915, and until their successors are elected and qualified, unless sooner removed under the provisions of this Charter.

Section 7.—Upon their qualification, such Mayor and Commissioners shall be and constitute the governing body and authority of the City of Amarillo, and shall thereafter administer its affairs agreeable to the provisions of this Charter; provided that the present City Secretary and Treasurer, City Assessor and Collector, City At-

(Column No. 40)

torney and City Marshal shall hold and retain their respective offices, if they so desire, and enjoy the emoluments thereof, as now provided, until the first Tuesday in April, A. D. 1914.

Respectfully submitted,

JOHN S. McKNIGHT,
Chairman.

THOS. CURRIE,
Secretary.

F. F. PHILLIPS,
J. L. SMITH,
J. M. RUSSELL,
D. D. DEWING,
E. S. BURGESS,
J. L. PENRY,
N. S. GRIGGS,
A. E. MEYER,
E. W. HARDIN,
J. D. BARTLETT,
R. M. WALKER,
R. E. UNDERWOOD,
M. J. R. JACKSON,
Charter Commissioners.

AMARILLO, THE CITY AND ITS CHARTER.

Amarillo, the first city in the Southwest to declare for the city manager plan, is the thriving railway and jobbing center of the Panhandle of Texas. The census of 1910 gave her a few hundred less than 10,000 population, not counting a considerable population in territory which has been added to the corporate limits under the new charter.

Three trunk lines of railway, the Fort Worth & Denver City, the Rock Island, and the Santa Fe, maintain division headquarters in Amarillo, and these radiating lines give the town wholesaling supremacy over a wide area of territory which includes part of several neighboring states. In Amarillo, the Santa Fe Railway Company maintains extensive general offices which control a number of divisions and feeder lines through several states.

Until the adoption of the present charter, Amarillo had conducted her corporate business under the old elective system, with a mayor, five aldermen at large, and with the heads of other departments elected by popular vote. Under this system the rights of the city corporation were extremely limited and branches of public service, such as the proper care of streets and the proper administering of sanitary ordinances, were seriously handicapped. This, together with lack of means for possible public improvements and a desire for a more efficient system of business, led to a demand for a new charter. On two former occasions, special charters drawn for the city failed of their purpose and were defeated because of factional disagreements both in the making of the instruments and in the campaigning for their adoption.

A CHARTER BY THE PEOPLE.

To avoid factional disagreements as far as possible and to secure as careful a representation as possible in the drawing of the present charter, a special committee of five men from the Chamber of Commerce, five men from the Retail Business Men's Association and five men not affiliated with either of the two organizations, nominated a commission of fifteen men to draw the proposed charter. None of the men named by this joint committee were seekers for the office, but each accepted the nomination and the men thus named were chosen by a heavy majority in the election which followed.

Amarillo is not different from other municipalities in sharp divisions over many questions and the men on the charter commission represented divergent views on several active questions of public policy. But throughout the work of drawing the charter, the entire commission worked with a unanimity of spirit which greatly increased the efficiency of their labor and which guaranteed the ratification and endorsement at the hands of the voters when the charter was submitted for adoption.

CENTERS ON BUSINESS PROBLEMS.

One significant feature of the charter which had much to do with its successful acceptance is the avoidance in the charter of expression on sumptuary legislation, police administration, and similar questions. Throughout its provisions, the charter regards the city in the light of a business corporation. Legislative and judicial questions are left to delegated authorities which are already outside the powers of the municipal corporation.

CHARTER IS CONCISE.

In point of brevity, the charter sets a new mark. Although it covers every interest in which the corporation may effectually concern itself, the charter is less than half the size of some recent charters which have been pointed out as models of conciseness.

The keynote of the charter is centralized responsibility subject always to the final mandates of the people. Although the city manager is allowed a free hand in administering all the city's business, the provisions for a budget system, for a continuous audit, and for comparative financial reports by competent auditors, insure to the citizens an accurate understanding of the administration of municipal affairs. In the recall which may be applied to ordinances and franchises as well as men, and in the initiative, the voters have the means always at hand of carrying out their wishes.

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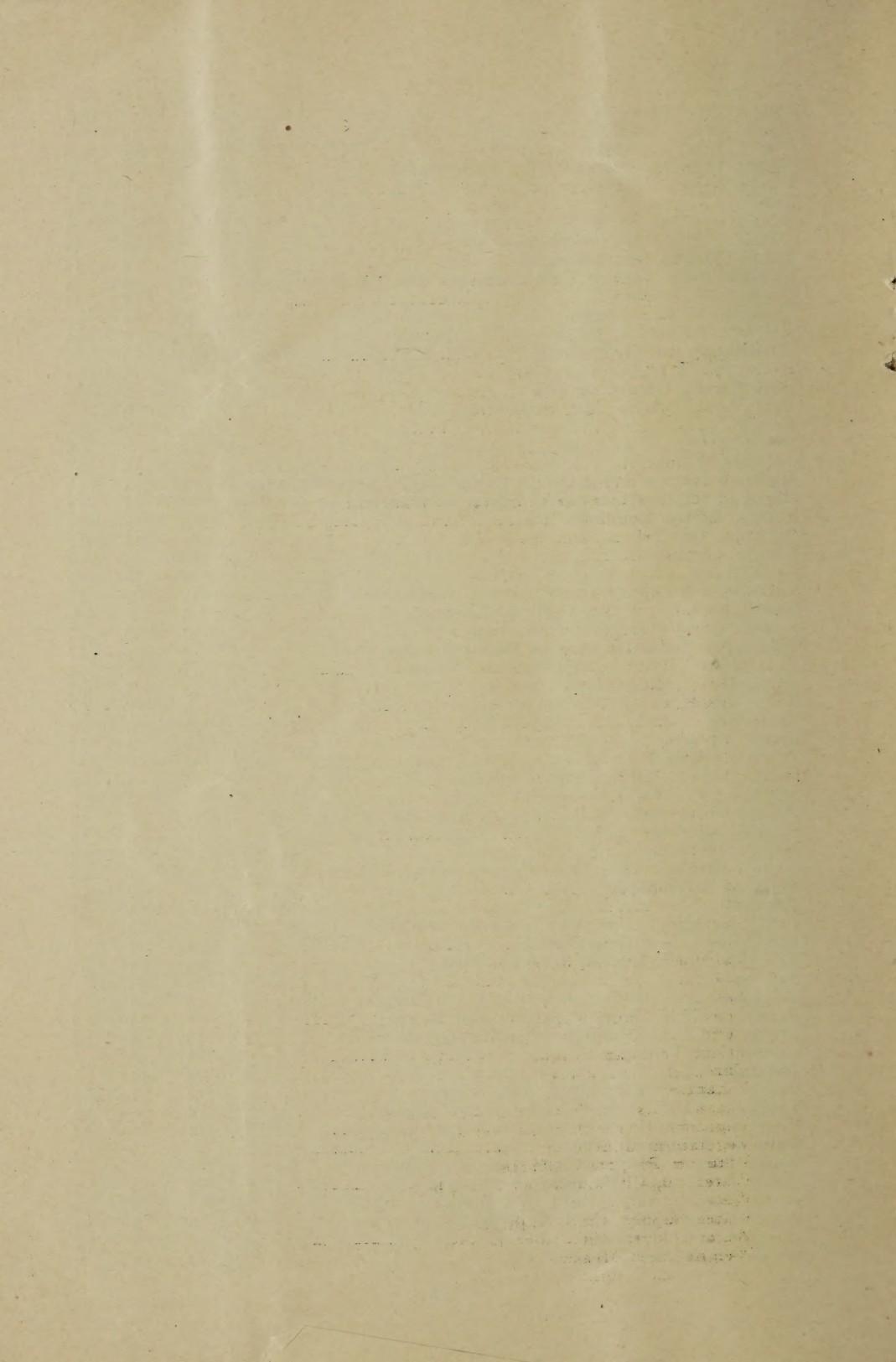
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